

bailable by sufficient sureties, unless for capital offences, when the proof is evident, or the presumption great.

40. That every foreigner who comes to settle in this state, having first taken an oath of allegiance to the same, may purchase, or, by other just means, acquire, hold, and transfer land, or other real estate, and after one year's residence be deemed a free citizen.

41. That a school or schools shall be established by the legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and, all useful learning shall be duly encouraged and promoted in one or more universities.

42. That no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the general assembly.

43. That the future legislature of this state shall regulate entails, in such a manner as to prevent perpetuities.

44. That the declaration of rights is hereby declared to be part of the constitution of this state, and ought never to be violated on any pretence whatsoever.

45. That any member of either house of general assembly shall have liberty to dissent from and protest against any act or resolve which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the journals.

46. That neither house of the general assembly shall proceed upon public business, unless a majority of all the members of such house are actually present; and that upon a motion made and seconded, the yeas and nays, upon any question, shall be taken and entered on the journals: and that the journals of the proceedings of both houses of the general assembly shall be printed, and made public, immediately after their adjournment.

This constitution is not intended to preclude the present congress from making a temporary provision, for the well ordering of this state, until the general assembly shall establish government agreeable to the mode herein before described.

RICHARD CASWELL, *President.*

December the eighteenth, one thousand seven hundred and seventy six, read the third time, and ratified in open congress.

*By order:*

JAMES GREEN, Jun. *Secretary.*